

BARRY J. PORTMAN  
Federal Public Defender  
HILARY FOX  
Assistant Federal Public Defender  
1301 Clay Street, Room 200C  
Oakland, California 94612  
Telephone: (510) 637-3500

Counsel for Defendant LAWRENCE WILLIAMS

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,	)	No. CR 06-498-MJJ
	)	
Plaintiff,	)	STIPULATION TO CONTINUE
	)	MOTIONS HEARING DATE AND
v.	)	MODIFY BRIEFING SCHEDULE
	)	AND ORDER
LAWRENCE WILLIAMS,	)	Date: December 1, 2006
	)	Time: 2:30 p.m.
Defendant.	)	Court: Hon. Martin J. Jenkins
	)	U.S. District Court

This matter is currently set for hearing on defendant's motion to suppress on Friday, December 1, 2006, at 2:30 p.m. Under the briefing schedule previously set by the Court, defendant's motion was due to be filed October 27, 2006. Because defendant did not file his motion until yesterday, the parties jointly request that the Court modify the briefing schedule and continue the hearing date to afford the government sufficient time to respond to defendant's motion. In addition, government counsel is going to be unavailable from December 1<sup>st</sup> through December 6<sup>th</sup> and will be out of the office on a four-week medical leave beginning December 13, 2006. The first court date government counsel would be available for a hearing would therefore be Friday, January 19, 2007. Under these circumstances, the parties jointly stipulate and agree that the hearing in this matter should be continued until January 19, 2007, at 2:30 p.m. in the Oakland courthouse. The parties further propose that the date for the government to file its

opposition be December 8, 2006, with defendant's reply due to be filed December 15, 2006. Time has already been tolled under the Speedy Trial Act for the period through December 1<sup>st</sup>, and the parties agree that an additional exclusion is appropriate through January 19, 2007, in light of the pending motion. 18 U.S.C. § 3161(h)(1)(F). Mr. Williams is out of custody and has no objection to the continuance.

SO STIPULATED.

Dated: November 21, 2006

/S/

HILARY A. FOX

Attorney for Defendant WILLIAMS

SO STIPULATED.

Dated: November 21, 2006

/S/

MICHELLE MORGAN-KELLY

Assistant United States Attorney

SIGNATURE ATTESTATION

I hereby attest that I have on file all holograph signatures indicated by a "conformed" signature ("S/") within this efiled document.

ORDER

Good cause appearing therefore, and pursuant to the stipulation of the parties, it is hereby ORDERED that the motions hearing currently scheduled for December 1, 2006, at 2:30 p.m. is vacated and re-scheduled for Friday, January 19, 2007, at 2:30 p.m. It is further ORDERED that the briefing schedule in this matter is modified to reflect that defendant's motion was filed November 20, the government's opposition shall be filed by December 8, and defendant shall file any reply by December 15, 2006.

IT IS SO ORDERED.

Dated: November 27, 2006



MARTIN J. JENKINS  
United States District Court